

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DOROTHY MANZY,

Plaintiff,

V.

**MONTGOMERY HOUSING
AUTHORITY, and LANE BOGGS, in his
individual capacity and official capacity,**

Defendants.

CASE NO. 2:05-cv-395-ID-SRW

MOTION TO DISMISS BY DEFENDANT LANE BOGGS

Lane Boggs (“Boggs” or “this Defendant”) moves this Court to dismiss him as a Defendant in this lawsuit. In support of this motion, Boggs states as follows:

1. Plaintiff's Complaint fails to state a claim against Boggs on which relief can be granted.
2. While Plaintiff has identified Boggs as a Defendant in this action, Plaintiff's Complaint fails to make a single factual allegation against Boggs. See Compl. ¶¶ 4-8.
3. Additionally, none of the counts in Plaintiff's Complaint purport to state causes of actions against Boggs. See Compl. ¶¶ 9-17.
4. Process was insufficient.
5. Service of process was insufficient.

WHEREFORE, premises considered, Boggs respectfully moves the Court to dismiss him as a Defendant in this lawsuit.

Respectfully submitted,

/s/ Angela R. Rogers

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Angela R. Rogers (RAI017)

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**Attorneys for The Housing Authority of the City
of Montgomery**

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Norman Hurst, Jr., Esq.
462-A Sayre Street
Montgomery, AL 36104

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: not applicable.

s/ Angela R. Rogers

Angela R. Rogers (RAI017)

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